

Small Business Guide to DOL Guidance on Coronavirus-Related Paid Leave

Basics:

What is the effective date of the paid leave provisions of the Families First Coronavirus Response Act (FFCRA)?

- Question 1

Who is a covered employer that must provide paid sick leave and expanded family and medical leave under the FFCRA?

- Ouestion 39

How do I know if my business is under the 500-employee threshold and therefore must provide paid sick leave or expanded family and medical leave?

- Question 2

If I am a small business with fewer than 50 employees, am I exempt from the requirements to provide paid sick leave or expanded family and medical leave?

- Questions 59, Question 58

Assuming I am a covered employer, which of my employees are eligible for paid sick leave and expanded family and medical leave?

- Question 38

What is a full-time employee under the Emergency Paid Sick Leave Act?

- Question 48

What is a part-time employee under the Emergency Paid Sick Leave Act?

- Question 49

Which employees are exempt from the leave requirements as "health care providers" and "emergency responders"?

- Ouestions 55, 56 and 57

If I am a staffing company, how do I count internal workers and staffed workers under the FFCRA?

- Question 74

What records do I need to keep when my employee takes paid sick leave or expanded family and medical leave?

- Ouestion 15



Will DOL begin enforcing FFCRA immediately?

- Question 78

Does the non-enforcement position mean businesses do not need to comply with the FFCRA from the effective date of April 1, 2020 through April 17, 2020?

- Question 79

Calculating Employee Hours & Pay:

How do I count hours worked by a part-time employee for purposes of paid sick leave or expanded family and medical leave?

- Question 5

When calculating pay due to employees, must overtime hours be included?

- Question 6

Are the paid sick leave and expanded family and medical leave requirements retroactive?

- Question 13

How much do I pay a seasonal employee with an irregular schedule for each day of paid sick leave or expanded family and medical leave that he or she takes?

- Question 75

May I supplement or adjust the pay mandated under the FFCRA with paid leave that the employee may have under my paid leave policy?

- Question 32

If I want to pay my employees more than they are entitled to receive for paid sick leave or expanded family and medical leave, can I do so and claim a tax credit for the entire amount paid to them?

- Question 34

May I require my employee to take paid leave he or she may have under my existing paid leave policy concurrently with expanded family and medical leave under the FFCRA?

- Question 33

Poster Requirements:

I am a small business owner. Do I have to post this notice?

- Question 7



Do I have to pay for notices?

- Question 10

Where do I post this notice? Since most of my workforce is teleworking, where do I electronically "post" this notice?

- Question 1

Do I have to post this notice in other languages that my employees speak? Where can I get the notice in other languages?

- Question 2

Do I have to give notice of the FFCRA requirements to new hires?

- Question 5

How do I know if I have the most up-to-date notice? Will there be updates to this notice in the future?

- Question 8

Do we have to post this notice at all of our different worksite locations, break rooms, and/or buildings?

- Questions 9, 12, and 13

By when do I have to post the notice?

- Ouestion 14

Other Resources for Employers:

Collected Resources | "COVID-19 and the American Workforce"

Fact Sheet | "Families First Coronavirus Response Act: Employer Paid Leave Requirements"

O and A Resource | "COVID-19 and the Fair Labor Standards Act"

O and A Resource | "COVID-19 and the Family and Medical Leave Act"

Temporary Rule | "Paid Leave under the Families First Coronavirus Response Act"

Webinar | "Webinar: The Families First Coronavirus Response Act"

• Webinar Slides (pdf)

Required Poster | "Families First Coronavirus Response Act Notice"